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2/21/03
lp

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BEVERLY BEAM,
Plaintiff

v.

SCOTT DOWNEY,
ROGER MORRISON,
DAVID GRAYBILL
and MICHAEL SWEGER
Defendants

CIVIL ACTION NO.
NO.: 1:CV-01-0083

CIVIL ACTION LAW
FILED
WILLIAMSPORT, PA

FEB 21 2003

MARY E. D'ANDREA, CLERK
Per lp
DEPUTY CLERK

JURY TRIAL DEMANDED

TO THE CLERK OF COURTS:

Attached hereto please find Affidavits in support of Defendant Downey's
application for attorney's fees under the above-captioned matter.

Respectfully submitted,

STOCK AND LEADER

By: Melinda B. Kaufmann
Stephen S. Russell, Esquire
I.D. No. 17102
Melinda B. Kaufmann, Esquire
I.D. No. 82088
Susquehanna Commerce Center East
221 W. Philadelphia Street, 6th Floor
York, PA 17404
(717) 846-9800
Attorneys for Defendant Scott Downey

Dated: February 19, 2003

STOCK AND LEADER
Susquehanna Commerce Center East
6th Floor
221 W. Philadelphia Street
York, Pennsylvania 17404

Phone: (717) 846-9800
Fax: (717) 843-6134

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AFFIDAVIT OF DANIEL FENNICK, ESQUIRE

1. Under penalty of perjury and pursuant to 28 U.S.C. § 1746, I state and depose as follows:
2. I have been engaged in the private practice of law since 1979 in the York, Pennsylvania area and am admitted to practice before the Middle District Court of Pennsylvania.
3. My practice and that of my firm involve, among other areas, civil litigation and civil rights litigation.
4. In the course of my career, I have come to know Melinda B. Kaufmann, Esquire, and am familiar with her experience, skill and

reputation. I am furthermore familiar with these factors as they relate to her civil litigation and civil rights practice.

5. Based upon my familiarity with Ms. Kaufmann and my knowledge of her reputation in the legal community, I state that her legal experience and talent are exceptionally high and that her reputation in the community is excellent.

6. I believe that in this community, an hourly billing rate of \$115.00 per hour is reasonable and within prevailing community standards for lawyers with Ms. Kaufmann's experience and ability.

Date _____

RESPECTFULLY SUBMITTED,

By 

Daniel Fennick, Esquire

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6th Floor
221 W. Philadelphia Street
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5. Based upon my familiarity with Mr. Russell and my knowledge of his reputation in the legal community, I state that his legal experience and talent are exceptionally high and that his reputation in the community is excellent.
6. I believe that in this community, an hourly billing rate of \$130.00 per hour is reasonable and within prevailing community standards for lawyers with Mr. Russell's experience and ability.

Date _____

RESPECTFULLY SUBMITTED,

By: _____

Daniel Fennick, Esquire

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COMMONWEALTH OF PENNSYLVANIA

COUNTY OF YORK

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SS.

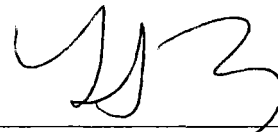
AFFIDAVIT OF LAWRENCE MARKOWITZ, ESQUIRE

1. Under penalty of perjury and pursuant to 28 U.S.C. § 1746, I state and depose as follows:
2. I have been engaged in the private practice of law for eighteen (18) years in Pennsylvania and am admitted to practice before the Middle District Court of Pennsylvania.
3. My practice and that of my firm involve, among other areas, employment litigation, civil litigation and civil rights litigation.
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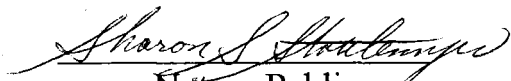
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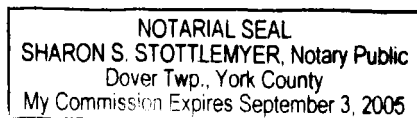


Lawrence Markowitz, Esquire

Sworn and subscribed to
before me this 13 day
of February, 2003.



Notary Public



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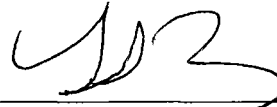
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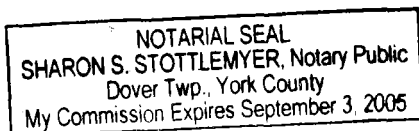


Lawrence Markowitz, Esquire

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: CIVIL ACTION NO.
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: CIVIL ACTION -LAW
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:
: JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

AND NOW, this 19th day of February, 2003, I, Melinda B. Kaufmann,
Esquire, of the law firm of Stock and Leader, attorneys for Defendant, Scott
Downey, hereby certify that I served the foregoing documents by depositing the
same in the United States first-class mail, postage prepaid, in York, Pennsylvania,
addressed to:

Don Bailey, Esquire
4311 N. 6th Street
Harrisburg, PA 17110

Steven J. Schiffman, Esquire
2080 Linglestown Road
Harrisburg, PA 17110

P. Daniel Altland, Esquire
3401 N. Front Street
Harrisburg, PA 17110

STOCK AND LEADER

By: Melinda B. Kaufmann
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